

REMARKS

Claims 1-14 are pending in the application. Claims 1, 11, and 13 are independent claims.

Claim Rejections - 35 U.S.C. § 102

(a) Claims 4, 6, 13, and 14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cho (USP 5,396,287). This rejection is respectfully traversed. Claim 13 is independent.

Cho discloses, in Fig. 9, a TV camera that includes a touch panel 51 provided over a monitor screen 10. The touch panel 51 is capable of detecting and outputting a signal proportional to a pressure applied to the touch panel 51. A CPU calculates magnification by zooming based on the signal.

Cho, however, does not continuously vary "a speed of change of a parameter based on the signal," as recited in claim 13. More specifically, Cho discloses that a position of a zoom lens, which determines the magnification, is controlled in accordance with a pressure applied on the touch panel. By contrast, in the claimed invention, the speed of change of the parameter (such as a zooming rate) is continuously varied based on the pressure applied on the touch panel. Accordingly, Cho does not disclose or even suggest the "controller" as recited in claim 13.

Claims 4, 6, and 14, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 13 and 7-8 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Ikeda et al. (US 2002/0110354). This rejection is respectfully traversed.

Ikeda discloses an image recording apparatus having a touch panel 18a provided on a liquid crystal display 18, and merely teaches that the respective operation is performed based on a touched portion (one of the buttons). For instance, the thumbnail images 31 are scrolled outside of the screen, when the user presses scroll button 33. Ikeda, however, the "speed of change of the parameter" is not continuously varied based on the pressure applied on the touch panel. Accordingly, Ikeda does not disclose or even suggest the "controller" as recited in claim 13.

Claims 7 and 8, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claims 13 and 9-10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ito et al. (USP 5,671,014). This rejection is respectfully traversed.

Ito is directed to a video apparatus, wherein the display includes operation keys (a plus key and a minus key) for adjusting the brightness and the adjusting level LV. Ito, however, does not disclose that "a speed of change" of the brightness can be continuously varied in accordance with the pressure applied on the operation keys. Accordingly, Ito fails to disclose or even suggest the "controller" as recited in claim 13.

Claims 9 and 10, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 1, 5, and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda in view of Tsuneo et al. (Translation of JP 08-221202). This rejection is respectfully traversed.

As recited in claims 1 and 11, the controller performs a first control when the pressure applied on the touch panel is greater than a first predetermined value, and performs a second control

when the pressure is greater than a second predetermined value larger than the first predetermined value.

The Examiner states, in the Office Action, that Ikeda does not explicitly show the controller performing a first control when the pressure applied on the touch panel is greater than a first predetermined value, and performing a second control when the pressure is greater than a second predetermined value larger than the first predetermined value. In view of this statement, the Examiner acknowledges that Ikeda does not disclose or even suggest the "controller" as recited in claim 1.

Tsuneo discloses an information display device capable of displaying information in a selection state by lightly pressing a touch switch with touch means, and making the selected information in a definite state by pressing the touch switch stronger. However, in the claimed invention of the present application, a device is not controlled by lightly pressing a touch switch with touch means; therefore, the first control of the claimed invention is totally different from the feature of lightly-pressing as taught in Tsuneo.

Therefore, even assuming, *arguendo*, that Ikeda and Tsuneo can be combined, Ikeda in view of Tsuneo fails to disclose or even suggest the "controller" as recited in claim 1.

Claim 5, dependent on claim 1, is allowable at least for its dependency on claim 1.

Claim 11 is allowable at least the similar reasons as stated in the foregoing with respect to claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 1-3 and 11-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kowno et al. (US 2001/0013897) in view of Tsuneo. This rejection is respectfully traversed.

The Examiner states, in the Office Action, that Kowno does not explicitly show the controller performing a first control when the pressure applied on the touch panel is greater than a first predetermined value, and performing a second control when the pressure is greater than a second predetermined value larger than the first predetermined value. In view of this statement, the Examiner acknowledges that Ikeda does not disclose or even suggest the "controller" as recited in claim 1.

Further, as stated in the foregoing in response to Section 103 rejection based on Ikeda in view of Tsuneo et al., Tsuneo does not disclose or even suggest the "controller" as recited in claim 1.

Therefore, even assuming, *arguendo*, that Kowno and Tsuneo can be combined, Kowno in view of Tsuneo fails to disclose or even suggest the "controller" as recited in claim 1.

Claims 2 and 3, dependent on claim 1, are allowable at least for their dependency on claim 1.

Claim 11 is allowable at least the similar reasons as stated in the foregoing with respect to claim 1.

Claim 12, dependent on claim 11, is allowable at least for its dependency on claim 11.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of the pending claims in the present application are respectfully requested.

The Examiner is respectfully requested to enter this Reply After Final in that it raises no new issues. Alternatively, the Examiner is respectfully requested to enter this Reply After Final in that it places the application in better form for Appeal.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully

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requested to contact Maki Hatsumi (Reg. No. 40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By _____
D. Richard Anderson, #40,439

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DRA:MH/mh:pjh
0879-0235P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000